

## Message Text

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ORIGIN SCS-03

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FM SECSTATE WASHDC

TO AMCONSUL CALCUTTA PRIORITY

INFO AMEMBASSY NEW DELHI PRIORITY

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E.O. 11652:N/A

TAGS:CASC, PFOR IN

SUBJECT:HARCOS/FLETCHER

REF: CALCUTTA 0170

THE CONTENTS OF REFTEL PASSED TO ATTORNEY BOUDIN AND THE FOLLOWING IS BOUDIN'S RESPONSE WHICH SHOULD BE PASSED TO DOLORES DONOVAN:

1. YOUR MEMOS ARE VERY CLEAR AND HELPFUL. I RECOMMEND YOU ATTEMPT TO SEE MRS. GANDHI. EQBAL WILL BE HERE TONIGHT AND I WILL ASK FOR HIS HELP.
2. WE COMMIT OURSELVES TO GETTING YOU THE ADDITIONAL MONEY. STAY AS LONG AS POSSIBLE.
3. WE WILL ATTEMPT TO SEE SAXBE.
4. I WILL NOT ISSUE PRESS STORIES.

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5. WITH RESPECT TO YOUR HYPOTHETICAL QUESTIONS: (1) (B) IS

CLEARLY ANSWERED IN THE AFFIRMATIVE; (1) (A) PROBABLY; AND QUESTION 2 DEPENDS UPON THE DETAILS OF THE STATEMENT MADE, TOGETHER WITH SPECULATION ON FUTURE AMERICAN WITNESS.

6. NEVERTHELESS, CONSIDERING THE DELAYS CONTINUING IN INDIA ON THE PRESENT OFFENSE, AND THE POSSIBILITY OF CONVICTION NO MATTER HOW UNJUSTIFIED, A STATEMENT BY THE DEFENDANT SEEMS ADVISABLE AS PRESENTING MINIMUM DANGER FOR CONTINUED OR FUTURE IMPRISONMENT AND GREAT LIKELIHOOD FOR IMMEDIATE DEPORTATION. IT SHOULD BE MADE CLEAR TO THEM HOWEVER THAT WE CANNOT GUARANTEE SATISFACTORY RESULTS AND THAT THE DECISION, WHILE RECOMMEND BY US, IS THEIRS. THEY SHOULD STATE THIS UNDERSTANDING IN WRITING TO YOU.

7. THE MORE GENERAL THE PUBLIC STATEMENT THAT THEY MAKE TO COURT OR TO MINISTRIES THE BETTER.

QUERY: WHAT IS THE DANGER THAT THEY WILL BE KEPT IN INDIA TO BE WITNESS AGAINST OTHER PERSONS? IT IS FOR THAT REASON THAT GOVERNMENT AGREEMENT FOR DEPORTATION SHOULD BE SOUGHT.

8. WITH RESPECT TO CONTEMPT PETITION AND CHARGE OF CONSPIRACY AND DENIAL OF ACCESS, PLEASE SEND FULL OFFICIAL DOCUMENTATION, LEGAL PAPERS, SUMMON, ETC.

9. DO SELECT SUBSTITUTE CALCUTTA LAWYER IF NECESSARY.

10. WHAT IS THE ROLE OF BANERJEE? DOES HE NOT HAVE RESPONSIBILITY FOR SOLVING SOME OF THESE PROBLEMS. UNQUOTE. KISSINGER

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## Message Attributes

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**Concepts:** COURT PROCEEDINGS  
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